

Enforcement Deferral Pilot Project

Site Milestones

1st and 2nd Quarters, FY2000 (October 1, 1999 – March 31, 2000)

According to current SCAP dates, 14 site milestones were due during the first two quarters of federal FY00. Six of the milestones were met. Of the eight milestones which were not met, four were due to the situation at the St. Louis River site.

The following provides a summary of the 1st and 2nd quarter FY00 milestones, as well as explanations of the missed milestones.

<u>Site</u>	<u>Event</u>	<u>Planned Start</u>	<u>Planned Complete</u>	<u>Met</u>
Agate Lake	CR DD		2000/1	yes
Baytown	RI/FS		2000/2	no
	StPbCom		2000/2	yes
	ROD		2000/2	no
	RD	2000/2		yes
Joslyn	RA		2000/1	no
	Clisout R		2000/1	no
St. Louis River	USX			
	StPbCom		2000/2	no
Interlake--Sediments	RI/FS		2000/2	no
	ROD		2000/2	no
	ES Diff		2000/2	no
Waite Park	5 Year	2000/2		yes
	5 Year		2000/2	yes

Windom

5 Year

2000/1

yes

Baytown – Preparation and approval of the ROD has taken much longer than expected. Minnesota Pollution Control Agency (MPCA) staff expect that the ROD will be signed today (5-25-00). The public comment period was completed last year, however, so this milestone was met. In addition, due to what is currently the risk management nature of the remedy at this site, RD activities have already begun. Signature of the ROD is expected to be a relative formality at this point.

Joslyn – Last year, additional soil contamination was discovered on the site, which must be cleaned up as part of the remedy. The MPCA forgot to request a change in the SCAP targets, therefore, the RA and closeout report were not completed during FY2000/2. New target dates remain to be set.

St. Louis River – Both the USX and Interlake operable units have involved extensive and intense public involvement. In the case of the Interlake operable unit, there has also been extensive involvement by the MPCA Citizens' Board, as well as negotiations with the RPs.

Due to sensitive negotiations with RPs, and the MPCA's request of EPA involvement in reviewing RI/FS-related materials, the MPCA and EPA agreed to temporarily remove the Interlake sediment operable unit from the Enforcement Deferral Pilot Project during this reporting period. Three milestones had been due during FY2000/2: RI/FS, ROD, and ES Diff.

Due to extensive public involvement, and to the course of the Interlake part of the project, completion of the USX non-native sediment RI/FS unit has also been delayed. The USX operable unit is now on essentially the same schedule as the Interlake operable unit. The question of RI-level site characterization has been re-opened. Therefore, the milestone for completion of public comment was not met.

The MPCA and EPA need to adjust the SCAP target dates for all of these activities.